

SEP-12-01 WED 08:36 AM

FAX NO.

P. 03

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In The Application of:
Gary Duffin et al.

ART UNIT: 1741

SERIAL NO.: 09/696,854

EXAMINER: FOELAK, M

FILED: October 26, 2000

ATTORNEY DOCKET:
OB007ML-1

FOR: Expandable Compositions and Methods
For Making and Using the Compositions

DATE: September 12, 2001
MOBERLY, MISSOURI

AMENDMENT AND REQUEST FOR RECONSIDERATION

Assistant Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

In response to the Office Action mailed on March 13, 2001, please substitute the following amended claims for the pending claims having the same number. Claims 1-3 and 12 have been amended in response to a rejection under 35 U.S.C. 112, second paragraph, and new Claims 15-20 have been added. Please also find enclosed herewith a Version With Markings To Show Changes Made.

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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/696,854
Filing Date	10/26/00
First Named Inventor	DUFFIN
Group Art Unit	1711
Examiner Name	FOELAK
Total Number of Pages in This Submission	12
Attorney Docket Number	03007MQLP

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ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Alter Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<i>CERT OF FAX</i>
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s): _____	
<input type="checkbox"/> Response to Missing Party/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
	Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	MICHAEL K. BOYER
Signature	<i>Michael K. Boyer</i>
Date	9/12/01

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:

Typed or printed name	
Signature	
Date	

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PTC/SB/17 (11-00)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 890.00)

METHOD OF PAYMENT

- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 15-0680

Deposit Account Name ORSCHELN

- Charge Any Additional Fees Required
Under 37 CFR 1.14 and 1.17

- Applicant claims small entity status.
See 37 CFR 1.37

Payment Enclosed:

Check Credit card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity				Fee Paid
Fee Code (\$)	Fee Code (\$)	Fee	Fee	Fee	Fee Description
101 710	301 358	Utility filing fee			
100 320	208 160	Design filing fee			
107 400	207 245	Plant filing fee			
100 710	208 355	Reissue filing fee			
114 150	214 75	Provisional filing fee			

SUBTOTAL (1) (\$ 0.00)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent	-20% =	X	
Multiple Dependent	-3% =	X	

Large Entity	Small Entity				Fee Description
Fee Code (\$)	Fee Code (\$)	Fee	Fee	Fee	Fee Description
103 18	203 9	Claims in excess of 20			
102 30	202 10	Independent claims in excess of 3			
104 370	204 135	Multiple dependent claim, if not paid			
109 80	209 40	" Previous independent claims over original patent			
110 18	210 9	" Reissue claims in excess of 20 and over original patent			

SUBTOTAL (2) (\$ 0.00)

*For number previously paid, if greater; For Reissues, see above

Complete if Known					
Application Number	09/696,854				
Filing Date	10/26/00				
First Named Inventor	DUFFIN				
Examiner Name	FOELAK				
Group Art Unit	1711				
Attorney Docket No.	26007 ML FAX PRE				

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FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity				Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)	Fee	Fee	Fee	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or claim				
127 50	227 25	Surcharge - late provisional filing fee or cover sheet				
139 130	139 130	Non-English specification				
147 2,520	147 2,520	For filing a request for ex parte reexamination				
112 920*	112 920*	Requesting publication of SIR prior to Examiner action				
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action				
115 110	215 55	Extension for reply within first month				
116 300	216 195	Extension for reply within second month				
117 890	217 445	Extension for reply within third month				
118 1,390	218 595	Extension for reply within fourth month				
128 1,090	228 945	Extension for reply within fifth month				
119 310	219 155	Notice of Appeal				
120 310	220 155	Filing a brief in support of an appeal				
121 270	221 105	Request for oral hearing				
138 1,910	138 1,910	Petition to institute a public use proceeding				
140 110	240 55	Petition to revive - unavoidable				
141 1,240	241 620	Petition to revive - unintentional				
142 1,240	242 620	Utility issue fee (or reissue)				
143 440	243 220	Design issue fee				
144 600	244 300	Plant issue fee				
122 130	122 130	Petitions to the Commissioner				
123 50	123 50	Processing fee under 37 CFR 1.17(q)				
125 180	126 180	Submission of Information Disclosure Stmt				
581 40	581 40	Recording each patent assignment per property (times number of properties)				
146 710	246 350	Filing a submission after final rejection (37 CFR § 1.129(a))				
149 710	249 355	For each additional invention to be examined (37 CFR § 1.129(b))				
179 710	279 355	Request for Continued Examination (RCE)				
169 900	160 900	Request for expedited examination of a design application				
Other fee (specify)						
Reduced by Basic Filing Fee Paid						SUBTOTAL (3) (\$ 890.00)

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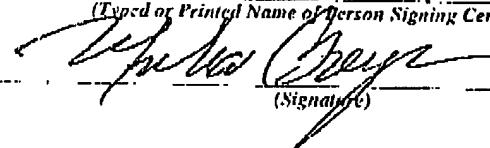
890

Complete if Known					
Name (print/type)	MICHAEL K. BOYER				
Signature	<i>Michael Boyer</i>				
Registration No. Attorney/Agent	33085				
Telephone	6602644536				
Date	12 SEPT 01				

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CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)				Docket No. OB007ML-1
Applicant(s): GARY DUFFIN ET AL.				
Serial No. 09/696,854	Filing Date OCTOBER 26, 2000	Examiner FOELAK	Group Art Unit 1711	
Invention: EXPANDABLE COMPOSITIONS AND METHODS OF MAKING AND USING THE COMPOSITIONS				
<p>I hereby certify that this AMENDMENT AND REQUEST FOR RECONSIDERATION <i>(Identify type of correspondence)</i> is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. 703-305-2599) on SEPT 12, 2001 703 872 9310 <i>(Date)</i></p>				
<p>MICHAEL K. BOYER - USPTO REG NO 33,085 <i>(Type or Printed Name of Person Signing Certificate)</i></p>  <p><i>(Signature)</i></p>				
<p>Note: Each paper must have its own certificate of mailing.</p>				